

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

CASE NO. 2:23-cv-11718-RJW-APP

YAACOV APELBAUM,  
and XRVISION, LTD.,

Plaintiffs,

v.

STEFANIE LAMBERT, THE  
LAW OFFICE OF STEFANIE  
L. LAMBERT, PLLC, and  
BILL BACHENBERG,

Defendants.

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**DECLARATION OF THOMAS D. SIVER, ESQ.**

Pursuant to 28 U.S. Code § 1746 THOMAS D. SIVER (hereinafter referred to as the “DECLARANT”), states as follows:

1. The DECLARANT filed a limited appearance to appear at only the Monday, June 2, 2025 hearing on behalf of the Defendant, Bill Bachenberg, in this case.

2. The DECLARANT knew of Plaintiffs’ Demand of \$500,000.00 on PACER in the case at bar.

3. On June 11, 2025, the DECLARANT emailed counsel for Plaintiffs,

offering to pay the Plaintiffs' Complaint Demand and attached a Proposed Order (hereinafter referred to as the "Approved Proposed Order") which stated, "[t]he Court finds that Defendant Bill Bachenberg has satisfied the \$500,000.00 demand, and this case is now closed and dismissed with prejudice." Counsel for the Plaintiffs, Jonathon Christian Burns, responded to the DECLARANT's email, accepting the Defendants' offer to pay the Plaintiffs' Demand. A true and correct copy of the June 11, 2025, email chain and Approved Proposed Order is hereto and marked as Exhibit "A." Furthermore, counsel for Plaintiff Jonathon Christina Burns simply stated to DELCARANT he would modify only the attorneys names and contact information.

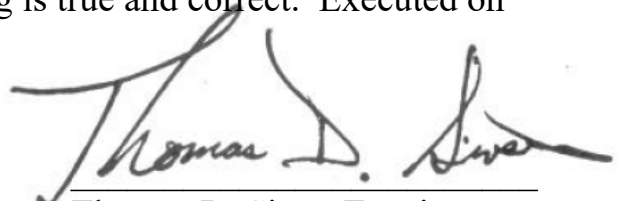
4. On June 12, 2025, the Defendant, Bill Bachenberg, initiated a wire transfer to Mr. Burns' IOLTA account in the amount of \$500,000.00. Later that day, Mr. Burns emailed the DECLARANT confirming the wire transfer in the amount of \$500,000.00 had been initiated. A true and correct copy of that June 12, 2025, email from Mr. Burns to the DECLARANT is attached hereto and marked as Exhibit "B."

5. On June 13, 2025, Plaintiffs' counsel, Todd Stuart, emailed the DECLARANT a revised copy of the June 11, 2025 Approved Proposed Order dismissing the case in its entirety. The copy of the Proposed Order emailed to the DECLARANT by Mr. Stuart made substantial changes, notably language stating 1) that that the dismissal would only only apply to the Defendant, Bill Bachenberg, rather than the entire case, 2) the case remains ongoing against the Defendants

Stefanie Lambert and her law office; 3) the Order does not close the case; and 4) removed the language previously agreed upon in the June 11, 2025 Order where the payment was made to satisfy the Plaintiffs' Complaint Demand. A true and correct copy of the June 13, 2025, Proposed Order sent by the Plaintiffs' Counsel, Mr. Stuart, to the DECLARANT is attached hereto and marked as Exhibit "C."

6. The DECLARANT informed the Plaintiffs' counsel, Mr. Stuart's modifications to the already agreed upon June 11 Agreed Proposed Order were material alternations, namely the June 13, 2025 Order sent by Mr. Stuart limited the dismissal to only bill, and the \$500,000.00 payment was made pursuant to the Plaintiffs' Complaint Demand. A true and correct copy of the DECLARANT's email to the Plaintiffs' counsel informing them of the material alterations is attached hereto and marked as Exhibit "D."

I declare under penalty of perjury the foregoing is true and correct. Executed on Friday, June 20, 2025.



Thomas D. Siver, Esquire